

Serial No. 10/509,528
Art Unit: 2618

REMARKS

Claims 1-17 are currently pending. Claims 12-17 have been added to enhance the scope of patent coverage and are supported by original claims 1, 8, and 9, figure 3, and page 4, lines 27-28, of the specification as filed. It is respectfully submitted that no new matter has been added.

The Patent Office rejected claims 1, 2, and 6-11 under 35 U.S.C. 103(a) as being unpatentable over Rosenberg, U.S. Published Patent Application No. 2001/0020937, in view of Schaupp, U.K. Published Patent Application No. 2 358 336.

Claim 1 recites

User interface for providing operational input to a portable telecommunication device without using keys or corresponding manual input means, the user interface comprising: **an electromechanical actuator including an electrical drive means provided with supply means for electrical power and a movable means arranged in relation to the drive means in such a way that the movable means performs a mechanical movement when electrical power is supplied to the drive means, and wherein an electric signal is induced in the drive means when the portable telecommunication device is moved in a way that causes the movable means to move**, and a sensing unit for sensing the induced electrical signal, characterised in that the user interface further comprises: a control means for controlling a desired operation of portable telecommunication device by means of the signal induced in the drive means.

Claim 11 recites

Use of an electromechanical actuator including an electrical drive means provided with supply means for electrical power and a movable means arranged in relation to the drive means in such a way that the movable means performs a mechanical movement when electrical power is supplied to the drive means, and wherein an electric signal is induced in the drive means when the portable telecommunication device is moved in a way that causes the movable means to move, as a user interface for providing operational input to a portable telecommunication device without using keys or corresponding manual input means for providing operational input in a portable telecommunication device.

Rosenberg discloses a computer interface apparatus including linkage having flex. In particular, Rosenberg discloses a laparoscopic tool in the form of a rod with a handle. A user

Serial No. 10/509,528
Art Unit: 2618

applies force rotationally and/or in an up/down motion to effect input to a computer through an interface device 14. The actuators disclosed by Rosenberg (e.g., paragraphs 0081, 0085, 0200, 0211) may drive a rotational shaft about an axis or drive a linear shaft. Rosenberg also discloses “passive damping can be introduced by using the back electromotive force (EMF) of the actuators 42 to remove energy from the system” (paragraph 0085). However, Rosenberg does not disclose that the actuator may provide a signal.

Schaupp (page 5, line 14, through page 6, line 15) discloses accelerometers that provide voltage outputs that are used to determine movement of the device in which the accelerometers are placed. Schaupp does not disclose internal details of the accelerometers. The accelerometers are disclosed as being part of a motion detector that is shown to reside within a portable electronic device 100. Movement of the device up, down, left, or right causes cursor movement on a graphical user interface (e.g., see Figure 3). Schaupp does not disclose that an actuator has a movable means that performs a mechanical movement when electrical power is applied to drive means.

Rosenberg is not related to portable telecommunication devices, but instead to computers and computer system. Rosenberg further includes a gimbal mechanism coupled to a user object, such as a joystick or a medical tool. Further, Rosenberg can not be combined to Schaupp in order to achieve a user interface in a portable telecommunication device as defined in claim 1. The same concerns claim 11. Since Rosenberg discloses that the sensors are preferably optical encoders (paragraph 0081), there would be no reason for the actuator to provide a signal.

Thus, claims 1-11 are allowable over Rosenberg in view of Schaupp.

Furthermore, as to claims 1-10, neither Rosenberg nor Schaupp disclose an induced signal provided by the actuator to the sensor.

Thus, claims 1-10 are allowable over Rosenberg in view of Schaupp for this additional reason.

The Patent Office rejected claims 3-5 under 35 U.S.C. 103(a) as being unpatentable over Rosenberg, U.S. Published Patent Application No. 2001/0020937, in view of Schaupp, U.K. Published Patent Application No. 2 358 336, and further in view of Lands, U.S. Patent No.

Serial No. 10/509,528
Art Unit: 2618

6,411,828.

Lands discloses a gravitational sensor in a communication device that is used to determine a mode of operation of the communication device. Lands does not disclose or suggest **“an electromechanical actuator including an electrical drive means provided with supply means for electrical power and a movable means arranged in relation to the drive means in such a way that the movable means performs a mechanical movement when electrical power is supplied to the drive means, and wherein an electric signal is induced in the drive means when the portable telecommunication device is moved in a way that causes the movable means to move.”**

As Lands does not remedy the deficiencies of Rosenberg and Schaupp, claims 3-5 are allowable over Rosenberg, Schaupp, and Lands.

New claims 12-17 have been added to enhance the scope of Applicant's patent coverage and are allowable over the prior art of record.

The Patent Office is respectfully requested to reconsider and remove the rejections of claims 1, 2, and 6-11 under 35 U.S.C. 103(a) based on Rosenberg in view of Schaupp and of claims 3-5 under 35 U.S.C. 103(a) based on Rosenberg in view of Schaupp and Lands, and to allow all of the pending claims 1-17 as now presented for examination. An early notification of the allowability of claims 1-17 is earnestly solicited.

Serial No. 10/509,528
Art Unit: 2618

Respectfully submitted:

Walter J. Malinowski January 31, 2007
Walter J. Malinowski Date

Reg. No.: 43,423

Customer No.: 29683

HARRINGTON & SMITH, LLP

4 Research Drive

Shelton, CT 06484-6212

Telephone: (203) 925-9400, extension 19

Facsimile: (203) 944-0245

email: wmalinowski@hspatent.com

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.

1-31-07 Ann Okrent Towich
Date Name of Person Making Deposit